

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

RICHARD F. SELDEN,

Defendant.

U.S. DISTRICT COURT
DISTRICT OF MASS.

Civil Action No. 05-11805-NMG

**JOINT STATEMENT FOR
INITIAL SCHEDULING CONFERENCE**

Pursuant to Rule 26(b) of the Federal Rules of Civil Procedure and Local Rule 16.1(D), the parties hereby submit their Joint Statement, including their proposed pre-trial schedule for the conduct of discovery and the filing of dispositive motions in this matter, in anticipation of the initial scheduling conference to be held on November 17, 2005.

Matters to be Addressed at Conference

A. Pending Motions

None.

B. Discovery Events

The Commission does not anticipate that it will exceed the limitations on discovery events set forth in Local Rule 26.1(C). Dr. Selden anticipates that, because the Commission has identified in its initial disclosures 39 individuals likely to have discoverable information and he

has identified in his initial disclosures another 33 such individuals, and because he has had no testimonial discovery, he will need to take depositions exceeding the discovery limitations of Local Rule 26.1(C). The Commission does not oppose Dr. Selden's proposal to exceed the discovery limitations in Local Rule 26.1(C).

C. Proposed Schedule for Discovery and Dispositive Motions

The parties propose the following schedule for the completion of discovery and the submission of dispositive motions:

Sept. 1, 2006	End of fact discovery
Oct. 1, 2006	Commission's expert disclosure under Fed. R. Civ. P. 26(a)(2)
Nov. 1, 2006	Deadline for deposition of Commission's expert(s)
Dec. 1, 2006	Defendant's expert disclosure under Fed. R. Civ. P. 26(a)(2)
Jan. 1, 2007	Deadline for deposition of defendant's expert(s)
Feb. 15, 2007	Deadline for submission of motions for summary judgment

D. Status of Initial Disclosures

Both parties have served their initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) and Local Rule 26.2(A).

E. Trial by Magistrate Judge

The parties do not agree to trial by a magistrate judge.

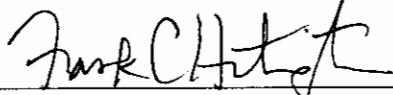
F. Alternative Dispute Resolution

No agreement has been made at this time for consent to alternative dispute resolution.

G. Local Rule 16.1(D)(3) Certifications

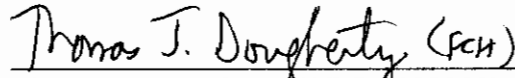
The parties' certifications pursuant to Local Rule 16.1(D)(3) are being submitted with this Joint Statement.

Respectfully submitted,



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Dated: November 9, 2005